

### **REMARKS**

This responds to the Office Action dated February 23, 2006, and the references cited therewith.

Claims 1 and 11 are amended, and claims 3 and 13 are canceled. Claims 1-2, 4-12, and 14-20 are now pending in this application.

#### **§102 and §103 Rejection of the Claims**

Claims 1-2, 9-12 and 19-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ding (U.S. 2002/0062139). Claims 1-2, 7, 10-12, 17 and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Darvish et al. (U.S. Patent No. 6,292,693). Claims 4, 6, 14 and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Darvish et al. (U.S. Patent No. 6,292,693). Claims 3 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ding (U.S. 2002/0062139) in view of Pastore et al. (U.S. Patent No. 6,965,797). Claims 3 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Darvish et al. (U.S. Patent No. 6,292,693) in view of Pastore et al. (U.S. Patent No. 6,965,797). Claims 5 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Darvish et al. (U.S. Patent No. 6,292,693) in view of Burnes et al. (U.S. 2004/0220636). Claims 8 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Darvish et al. (U.S. Patent No. 6,292,693) in view of Zhu et al. (U.S. 2002/0120306). The rejections are traversed and reconsideration is respectfully requested.

As the Pastore et al. patent (U.S. Patent No. 6,965,797) was published and issued after the filing date of present application, it is prior art to the present application, if at all, only under 35 U.S.C. 102(e). In view of the common ownership of the present application and the Pastore et. al patent as set forth below, applicant asserts that the latter is not prior art to the present application for purposes of 35 U.S.C. 103 and that the rejections under that section applied to claims 3 and 13 have been overcome. Claims 1 and 10 have been amended herein to incorporate the limitations of claims 3 and 13, respectively, and thereby represent those latter claims in independent form. Applicant believes that these amendments render claims 1 and 10 patentable

over the prior art of record as well overcome the rejections of dependent claims 2, 4-10, 12, and 14-20. Withdrawal of the rejections is respectfully requested.

*Statement of Common Ownership*

Applicant declares that, at the time the present invention was made, the present application and U.S. Patent No. 6,965,797 were owned by the same entity. Since that patent could only otherwise qualify as prior art to the present application under 35 U.S.C. 102(e), it is disqualified as prior art for purposes of section 103(a) under 35 U.S.C. 103(c).

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (847) 432-7302 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,


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By their Representatives,

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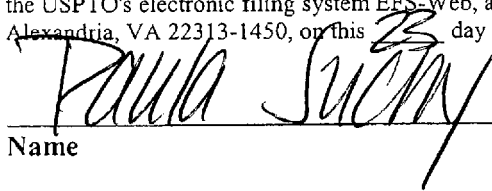
Date 6-23-06

By

  
Kevin Parker  
Reg. No. 33,024

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23 day of June, 2006.

Name



Signature

